



To:

First Executive Vice-President Frans Timmermans

CC:

Commissioner Virginijus Sinkevičius

Commissioner Thierry Breton

Commissioner Stella Kyriakides

European Commission, Rue de la Loi 200, Brussels

Brussels, 24 July 2020

Dear First Executive Vice-President Timmermans,

Re: Time to ensure that the Chemicals Strategy for Sustainability delivers a toxic-free environment

We, the undersigned, warmly welcome your [commitment](#) to developing a Chemicals Strategy for Sustainability (CSS) as part of the zero pollution ambition towards a toxic-free environment under the [European Green Deal](#). In particular, we welcome your pledge to deliver a “transformative policy” to “protect citizens and the environment better against hazardous chemicals and encourage innovation for the development of safe and sustainable alternatives,” to “transforming the chemical industry into a greener and healthier business model” and “to provide “a future proof and ambitious strategy that ensures health, environmental and economic resilience.”

It is the first time since the publication of the [White Paper on the Strategy for a future Chemicals Policy](#), 20 years ago, that the EU has looked to the future of chemicals policy. The Chemical Strategy for Sustainability needs to be the most transformative improvement to chemical safety laws since the adoption of the [REACH](#) Regulation in 2006. This ambitious vision has been repeatedly endorsed by [EU member governments](#) and the [European Parliament](#) in a resounding vote this month.

Building on multiple studies, including a wide range of policy evaluation activities, delivered over the last decade, DG Environment prepared a draft Chemicals Strategy for Sustainability. Although not as ambitious as we expected (see Annex I), this draft takes on board most of the asks from the European Council and the European Parliament to advance towards a toxic-free environment.

However, last week several media outlets (Annex II) revealed that DG Internal Market, Industry, Entrepreneurship, and SMEs (DG GROW) is looking to redraft and substantially lower the ambition of the proposal by DG Environment (DG ENV), stripping back measures essential to the delivery on the zero-pollution objective.

Over the last couple of years, numerous reports from [UNEP](#), [EEA](#), [REACH review](#), and others have highlighted the severity of the problem of hazardous chemicals and the need to tackle it urgently. We are very concerned that DG GROW is neglecting scientific evidence on the threats that hazardous chemicals pose to people and to nature. Especially our children will suffer in future from chemical contamination if we do not act now.

We are also concerned by the way DG GROW seeks to undermine DG ENV's proposal to establish a toxic-free hierarchy, that prioritises prevention of harm and safe-by-design innovations by suggesting to reintroduce the outdated "SMART regulation" process. This process aims to deregulate and to lighten the (needed) pollution control constraints for polluting industries. The sustainable solution is to have strong regulations to encourage innovation towards safer and greener chemicals; the toxic free hierarchy as proposed by DG ENV will lead to this.

Instead of supporting DG ENV's proposal to strengthen the EU legal framework to address key issues of concern, DG GROW proposes to limit the capacity of Member States and EU institutions to regulate chemicals of concern. It does so by proposing a highly burdensome process - the Risk Management Option Analysis (RMOA) - that risks stalling and slowing down any regulatory action. DG GROW also seeks to block all DG ENV initiatives to improve protections for people and the environment by filling existing regulatory gaps. Examples include proposed actions to regulate endocrine disruptors (EDCs) and persistent, mobile, and toxic substances (PMTs), mixtures of chemicals and regulations of hazardous chemicals across sectors. In each of these examples, DG GROW replaces all commitments on actions with vague, non-committal promises to assess or explore options to avoid concrete initiatives.

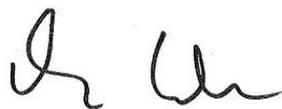
DG ENV has been given the task to lead on this file and develop a Chemicals Strategy for Sustainability (CSS) as part of the zero pollution ambition towards a toxic-free environment. Considering that DG ENV is only partially taking onboard the more ambitious asks from the European Council and the European Parliament, we are alarmed to see proposals to weaken the text.

The Chemicals Strategy for Sustainability must be instrumental in advancing a truly transformative agenda in Europe. It should be the backbone of other important policy initiatives as part of the European Green Deal. It should be the strategy behind the strategies. A game-changer that ensures that the Circular Economy Action Plan and each of the strategies on biodiversity, farm to fork, and zero pollution reach their respective goals, while enabling other initiatives such as the EU Beating Cancer plan and climate to improve people's lives and the planet's health meaningfully.

We call on you, as the Commission's appointee responsible for the delivery of the European Green Deal, to step in and ensure that the Chemicals Strategy for Sustainability will effectively contribute to achieving a toxic-free environment.

We look forward to further exchanging with you on this matter and would be grateful for a meeting to discuss with you.

Yours sincerely,



Jeremy Wates
Secretary General
European Environmental Bureau

On behalf of:

European Environmental Bureau (EEB)

BUND/Friends of the Earth Germany

Center for International Environmental Law (CIEL)

ChemSec

CHEM Trust

ClientEarth

France Nature Environnement

Health and Environment Alliance (HEAL)

Health and Environment Justice Support (HEJSupport)

Women Engage for a Common Future (WECF)

In view of the public interest in this matter, we intend to make this letter publicly available.

ANNEX I: A chemicals strategy as part of the European Green Deal: time to deliver. [NGO letter](#) and [Annex](#) to President-elect von der Leyen, First Executive Vice-President-elect Timmermans and Commissioner-elect Sinkevičius.

We draw your attention to the [priorities](#) of a coalition of leading health and environmental NGOs on the essential benchmarks for the development of the Chemicals Strategy for Sustainability under the European Green Deal. These priorities were shared with the European Commission's President in November 2019.

ANNEX II: MEDIA ARTICLES ABOUT GROW's REDRAFT OF THE CSS

Chemical Watch (Europe), [DG Grow draws battlelines on draft EU future chemicals strategy](#), 16 July 2020

Corporate Observatory Europe (CEO), (Europe): [Chemical industry cheerleader: how DG Grow puts industry above public interest regulation](#), 16 July 2020

Politico (Europe), [Commission departments tussle over chemicals strategy](#), 16 July 2020

META (EEB, Europe) [Chemicals cheerleader: how DG Grow puts industry above public interest regulation](#), 16 July 2020

Le Monde (France), [Produits chimiques : bataille au sein de la Commission sur la nouvelle « stratégie durable »](#), 16 July 2020

Süddeutsche Zeitung (Germany), [EU-Kommission: Eine Frage des Tonfalls](#), 15 July 2020

Trouw (The Netherlands), [Chemielobby doorgedrongen tot binnen de Green Deal van Timmermans](#), 15 July 2020

El Diario (Spain), [Maniobras dentro de la Comisión Europea intentan rebajar las prohibiciones a la industria sobre sustancias químicas peligrosas](#), 16 July 2020

LUSA (Portugal), [Comissão Europeia. Estratégia para produtos químicos está a ser boicotada](#), 16 July 2020

ANSA (Italia), [Ambiente: piano contro Pfas in nuova strategia Ue](#), 16 July 2020